

FILE NO.AP33001-070457.0972

PATENT

Remarks**Summary of Office Action**

Claims 1-10 were pending.

Claims 1 and 3 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Paltenghe U.S. Patent Application Publication No. 2002/0004783 ("Paltenghe"). Claims 2 and 4-10 have been rejected under 35 U.S.C. § 103(a) as being obvious from Paltenghe in view of Chaum et al. U.S. Patent Serial No. 6,434,238 ("Chaum").

Applicants Reply

Applicants have cancelled claims 7 and 9, and amended claims 1, 3, 6, and 8 to clarify the invention. Applicants respectfully traverse the claim rejections under § 102(a) and § 103(a).

Independent claims 1, 3, 6 and 8

As previously noted, applicants' invention relates to methods and apparatus for conducting a payment card transaction over a computer network between a consumer and a merchant. In particular, applicants' invention is directed to methods and systems (including wallet servers) by which the recent chip payment card technology is seamlessly integrated into existing or legacy payment infrastructures that do not support chip payment cards. (See e.g., Summary of Invention, page 7 last paragraph).

Claims 1, 3, 6 and 8 require that "regardless of whether or not the payment card of the consumer involved in the transaction is a chip card or a non-chip card, the transaction is conducted in a format compliant with a chip card electronic commerce protocol or specification." Further, the claims explicitly require that the method/infrastructure accomplish the transaction

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“for payment cards issued by both issuer institutions having infrastructure to support chip card transactions issuer institutions having legacy infrastructure supporting only non- chip card transactions.”

Applicants respectfully submit that neither of the cited references shows these features of applicants' invention for seamless integration legacy and new payment technologies.

As previously noted, Paltenghe relates to improvements in conventional electronic wallet software (See e.g., Paltenghe, Background Section). The Examiner correctly notes that Paltenghe describes a virtual wallet system including a wallet server. However, applicants note that Paltenghe does not describe a method or wallet server configured for seamless dual use with both chip payment card and non-chip payment cards infrastructure. Further, Chaum does not describe or suggest wallet servers.

In particular, neither Paltenghe nor Chaum show, teach or suggest methods or wallet servers configured to conduct transactions in a manner such that “regardless of whether or not the payment card of the consumer involved in the transaction is a chip card or a non-chip card . . . transmitting the payment-related information and the cryptogram in a format substantially compliant with a chip card electronic commerce protocol or specification, whereby the transaction is accomplished for payment cards issued by both issuer institutions having infrastructure to support chip card transactions and issuer institutions having legacy infrastructure supporting only non- chip card transactions.” as required by claims 1, 3, 6 and 8.

For at least this reason, these independent claims 1, 3, 6 and 8 are patentable over the cited references — Paltenghe and Chaum, viewed independently or in combination. Further the dependent claims 1, 4, 5, 7, 8, 9 and 10 are patentable for at least the same reasons.

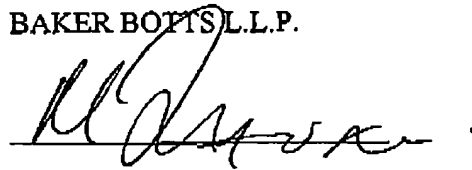
Conclusion

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This application is now in condition for allowance. Reconsideration and prompt allowance of which are requested. If there are any remaining issues to be resolved, applicant respectfully requests the Examiner to kindly contact the undersigned attorney by telephone for an interview.

Respectfully submitted,
BAKER BOTTS L.L.P.



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